

01-03-05

PAW 165-200

Atty. Dkt. No. 043739-0175  
U.S. Ser. No. 10/069,434

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Thornton et al.

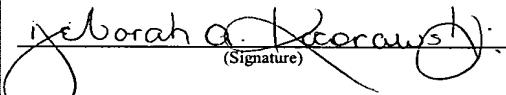
Title: HUMAN CARBONIC ANHYDRASES

Appl. No.: 10/069,434

Filing Date: 07/18/2002

Examiner: Saidha, Tekchand

Art Unit: 1652

<b>CERTIFICATE OF EXPRESS MAILING</b>	
I hereby certify that this correspondence is being deposited with the United States Postal Service's "Express Mail Post Office To Addressee" service under 37 C.F.R. § 1.10 on the date indicated below and is addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.	
EV 459167845 US (Express Mail Label Number)	December 30, 2004 (Date of Deposit)
<hr/> Deborah A. Kocorowski (Printed Name)	
 (Signature)	

**AMENDMENT TRANSMITTAL**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Transmitted herewith is an Amendment and Reply in the above-identified application.

- Amendment and Reply Under 37 CFR 1.111 (16 pages).
- Copy of Form PTO-1390 listing Preliminary Amendment originally filed on February 20, 2002 (2 pages).
- Copy of the PTO Return Postcard originally filed with Form PTO-1390 on February 20, 2002 (1 page).
- Information Disclosure Statement (3 pages).
- Form PTO/SB/08 (1 page) listing eight (8) references, enclosing seven (7).
- Check in the amount of \$180.00 for Submission of an Information Disclosure Statement Under 37 C.F.R. § 1.17(p).

[ X ] The fee required for additional claims is calculated below:

	Claims As Amended	Previously Paid For		Extra Claims Present	Rate		Additional Claims Fee
Total Claims:	13	-	20	=	0	x \$50.00	= \$0.00
Independent Claims:	3	-	3	=	0	x \$200.00	= \$0.00
First presentation of any Multiple Dependent Claims:				+ \$360.00			\$0.00
					CLAIMS FEE TOTAL		\$0.00

[ ] Applicant hereby petitions for an extension of time under 37 C.F.R. §1.136(a) for the total number of months checked below:

[ ] Extension for response filed within the first month:	\$120.00	\$0.00
[ ] Extension for response filed within the second month:	\$450.00	\$0.00
[ ] Extension for response filed within the third month:	\$1,020.00	\$0.00
[ ] Extension for response filed within the fourth month:	\$1,590.00	\$0.00
[ ] Extension for response filed within the fifth month:	\$2,160.00	\$0.00
	EXTENSION FEE TOTAL:	\$0.00
[ ] Statutory Disclaimer Fee under 37 C.F.R. 1.20(d):	\$130.00	\$0.00
	CLAIMS, EXTENSION AND DISCLAIMER FEE TOTAL:	\$0.00
[ ] Small Entity Fees Apply (subtract ½ of above):		\$0.00
	TOTAL FEE:	\$0.00

[ X ] The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

Date

12/30/2004

FOLEY & LARDNER LLP  
Customer Number: 22428

By M. Scott McBride

M. Scott McBride  
Attorney for Applicant  
Registration No. 52,008  
Telephone: (414) 297-5529  
Facsimile: (414) 297-4900

Express Mail No.: EL 856 146 414 US Mailed: 20 February 2002

Docket No.: PI-0137 USN

COMMISSIONER FOR PATENTS  
BOX PATENT APPLICATIONS  
WASHINGTON, D.C. 20231

Inventors: Thornton, et al.

Title: HUMAN LYASES

Enclosed:

Return Receipt Postcard  
 Transmittal for Patent Application (in duplicate)  
 Sequence Listing Statement (1 Page)

DHC:zma

Express Mail No.: EL 856 146 414 US Mailed: 20 February 2002

Docket No.: PI-0137 USN

COMMISSIONER FOR PATENTS  
BOX PATENT APPLICATIONS  
WASHINGTON, D.C. 20231

Inventors: Thornton, et al.

*10/069434*

Title: HUMAN LYASES *10/069434 20 FEB 2002*

Enclosed:

Return Receipt Postcard  
 Transmittal for Patent Application (in duplicate)  
 Sequence Listing Statement (1 Page)

DHC:zma

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*JK*

FORM PTO-1390 OFFICE		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK <b>TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371</b>	ATTORNEY'S DOCKET NUMBER <b>PI-0137 USN</b>
		U.S. APPLICATION NO. (If known, see 37 CFR 1.5) <b>TO BE ASSIGNED</b>	
INTERNATIONAL APPLICATION NO. <b>PCT/US01/19166</b>	INTERNATIONAL FILING DATE <b>13 June 2001</b>	PRIORITY DATE CLAIMED <b>23 June 2000</b>	
<b>TITLE OF INVENTION</b> <b>HUMAN LYASES</b>			
<b>APPLICANT(S) FOR DO/EO/US</b> <b>THORNTON, Michael; RAMKUMAR, Jayalaxmi; TRIBOULEY, Chatherine M.; YUE, Henry NGUYEN, Danniell B.; YAO, Monique G.; PATTERSON, Chandra; GANDHI, Ameena R.; BURFORD, Neil; THANGAVELU, Kavitha; BAUGHN, Mariah R.</b>			
<p>DEC 30 2004 PTO-1390 (2-01)</p> <p>Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:</p> <ol style="list-style-type: none"> <li><input checked="" type="checkbox"/> This is the <b>FIRST</b> submission of items concerning a filing under 35 U.S.C. 371.</li> <li><input type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a filing under 35 U.S.C. 371.</li> <li><input type="checkbox"/> This is an express request to promptly begin national examination procedures (35 U.S.C. 371 (f)).</li> <li><input type="checkbox"/> The US has been elected by the expiration of 19 months from the priority date (PCT Article 31).</li> <li><input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)) <ul style="list-style-type: none"> <li><input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau)</li> <li><input type="checkbox"/> has been communicated by the International Bureau.</li> <li><input checked="" type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</li> </ul> </li> <li><input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).</li> <li><input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) <ul style="list-style-type: none"> <li><input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).</li> <li><input type="checkbox"/> have been communicated by the International Bureau.</li> <li><input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</li> <li><input type="checkbox"/> have not been made and will not be made.</li> <li><input type="checkbox"/> attached hereto Article 34 Amendment</li> </ul> </li> <li><input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</li> <li><input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</li> <li><input type="checkbox"/> An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</li> </ol>			
<p><b>Items 11 to 16 below concern document(s) or information included:</b></p> <ol style="list-style-type: none"> <li><input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</li> <li><input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.27 and 3.31 is included.</li> <li><input checked="" type="checkbox"/> A <b>FIRST</b> preliminary amendment, as follows: Cancel in this application original claims 12, 14, 18, 20, 21, 23, 24, 25, 26, 30-50 before calculating the filing fee, without prejudice or disclaimer. Applicants submit that these claims were included in the application as filed in the interest of providing notice to the public of certain specific subject matter intended to be claimed, and are being canceled at this time in the interest of reducing filing costs. Applicants expressly state that these claims are not being canceled for reasons related to patentability, and are in fact fully supported by the specification as filed. Applicants expressly reserve the right to reinstate these claims or to add other claims during prosecution of this application or a continuation or divisional application. Applicants expressly do not disclaim the subject matter of any invention disclosed herein which is not set forth in the instantly filed claims. <ul style="list-style-type: none"> <li><input type="checkbox"/> A <b>SECOND</b> or <b>SUBSEQUENT</b> preliminary amendment.</li> </ul> </li> <li><input type="checkbox"/> A substitute specification.</li> <li><input type="checkbox"/> A change of power of attorney and/or address letter.</li> <li><input checked="" type="checkbox"/> Other items or information: <ol style="list-style-type: none"> <li>1) Transmittal Letter (2 pp, in duplicate)</li> <li>2) Return Postcard</li> <li>3) Express Mail Label No.: <b>EL 856 146 414 US</b></li> <li>4) Sequence Listing Statement</li> </ol> </li> </ol>			

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U.S. APPLICATION NO. (if known, see 37 CFR 1.5) TO BE ASSIGNED	INTERNATIONAL APPLICATION NO.: PCT/US01/19166	ATTORNEY'S DOCKET NUMBER PI-0137 USN	
<p>17. <input checked="" type="checkbox"/> The following fees are submitted:</p> <p><b>BASIC NATIONAL FEE (37 CFR 1.492(a)(1)-(5):</b></p> <p>Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO.....\$1000.00</p> <p><input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO..\$860.00</p> <p>International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO.....\$710.00</p> <p><input checked="" type="checkbox"/> International preliminary examination fee paid to USPTO (37 CFR 1.482) but all claims did not satisfy provisions of PCT Article 33(1)-(4).....\$710.00</p> <p><input type="checkbox"/> International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(1)-(4).....\$100.00</p>			
ENTER APPROPRIATE BASIC FEE AMOUNT = \$710.00			
Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)).			
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE
Total Claims	20 =	0	X \$ 18.00
Independent Claims	2 =	0	X \$ 80.00
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+\$270.00
TOTAL OF ABOVE CALCULATIONS =			\$
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.			\$
SUBTOTAL =			\$710.00
Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).			\$
TOTAL NATIONAL FEE =			\$710.00
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by the appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property			+
TOTAL FEES ENCLOSED =			\$710.00
			Amount to be Refunded: \$
			Charged: \$
<p>a. <input type="checkbox"/> A check in the amount of \$_____ to cover the above fees is enclosed.</p> <p>b. <input checked="" type="checkbox"/> Please charge my Deposit Account No. <u>09-0108</u> in the amount of <u>\$710.00</u> to cover the above fees.</p> <p>c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>09-0108</u>. A duplicate copy of this sheet is enclosed.</p>			
NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.			
SEND ALL CORRESPONDENCE TO:  INCYTE GENOMICS, INC. 3160 Porter Drive Palo Alto, CA 94304			
 SIGNATURE  NAME: Richard C. Ekstrom			
REGISTRATION NUMBER: 37,027			
DATE: <u>20</u> February 2002			

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